

CA4 ON HBL A05 C51P4 2000

AGENDAS/MINUTES
CITY OF HAMILTON
PLANNING & DEVELOPMENT
COMMITTEE
OCT. 31, 2000 ...







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AGENDA

Urban Municipal Collection 2nd Floor Hamilton Public Library

PLANNING AND DEVELOPMENT COMMITTEE

URBAN MUNICIPAL

Tuesday October 31, 2000
Immediately following Special City Council
Meeting of 1: 00 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

NOV 0 6 2000

GOVERNMENT DOCUMENTS

Tina Agnello Legislative Assistant

CALL TO ORDER

1. DECLARATIONS OF INTEREST

2. DISCUSSION AGENDA

- 2.1 Neighbourhood Plan Amendment Templemead Neighbourhood P5-2-129 (PDC00170) (Previously Tabled)
 - 2.1.1 Submission: Edwyn and Sharon Lewis
- 2.2 Delegation of Approval Authority- Site Plan Control Applications (PDC00176)
- 2.3 Request for a waiver of the 2 year building requirement as per bill PR 140 for Belvidere property from Clair W. Sellens (Previously Tabled)
- 2.4 Referral of Council Correspondence regarding Enterprise Zones from Regional Council

3. ADJOURNMENT



CITY OF HAMILTON

- RECOMMENDATION -

DATE:

October 11, 2000

(P5-2-129)

REPORT TO:

Chairman and Members

Planning and Development Committee

FROM:

Ms. Lee Ann Coveyduck

General Manager

Community Planning and Development Division

SUBJECT:

Neighbourhood Plan Amendment - Templemead Neighbourhood

(PDC00170)

RECOMMENDATION:

That the approved Templemead Neighbourhood Plan be modified as follows:

- i) to redesignate the lands at the north-west quadrant of the proposed Public School Board site from "Civic and Institutional" to "Single and Double Residential"; and,
- ii) to revise the road pattern to add a new street connecting Arno Street with Royal Vista Drive;

as shown on the attached map marked as APPENDIX "A"

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Transition Board Approval is not required.

It is Council adopted policy that neighbourhood plan changes require public meetings.

BACKGROUND:

The Templemead Neighbourhood Plan was approved in 1972. Similar to many other south mountain neighbourhoods, there is a large parcel of land set aside for a school.



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BACKGROUND:

The Templemead Neighbourhood Plan was approved in 1972. Similar to many other south mountain neighbourhoods, there is a large parcel of land set aside for a school.

The Hamilton-Wentworth District School Board owns a 6.47 ha (16 ac.) parcel of land in the middle of the Templemead neighbourhood. A consultant hired by the Ministry of Education recommended that 5 acres is the optimum size for an elementary school site.

Approximately seven years ago, the Board developed a plan for the site which showed the school located in the north-west quadrant of the site. However, the building of a new school was put on hold because of the changes to the Provincial funding formulas. The Provincial Government has established a funding model which requires school boards to remove excess pupil capacity prior to receiving funding for new schools. The Hamilton-Wentworth District School Board has approximately 8-10,000 excess pupil spaces. No new provincial funding will be given to the school board until such time as this excess capacity is eliminated.

In September 2000, the Board Trustees approved building a new JK to 8 school in the Templemead neighbourhood. The funding for the new school is coming from the Hamilton-Wentworth District School Board's own resources, including proceeds from residential development of surplus lands. The location of the school and the size of the school site were changed from the 1993 concept.

PROPOSAL:

The proposal is to retain 3.6 ha (8.9 ac.) of land in the interior of the site and sever the remaining 2.8 ha (7.1 ac.) of land.

The school is proposed to be located adjacent to the existing Board owned soccer pitch and Templemead Park. A new road is proposed to connect Arno Street and Royal Vista Drive (see APPENDIX "A").

The remaining lands are proposed for approximately 45 single-family dwellings (12m/40 ft.) fronting on Templemead Drive and the new street (see APPENDIX "B")

In addition, the City owns a small triangular piece of land at the southern end of the school site. It is proposed the City exchange their parcel of land for small strip on the east side of the school site. This land exchange would "square off" both sites.

PLANNING PROCESS:

The proposed development of the site is following a two-phase planning process:

Phase 1 will include the submission of a:

- 1) site plan for the school;
- 2) a severance to dedicate the road to the City of Hamilton and to facilitate the land exchange between the Board and the City; and,
- 3) a neighbourhood plan amendment to revise the road pattern and redesignate a portion of the lands to "single and double residential".

Phase 2 (in 2001) will include the submission of a:

1) draft plan of subdivision for the residential lots; and,

2) rezoning application from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) District.

COMMENTS OF THE PROPOSED NEIGHBOURHOOD PLAN CHANGES:

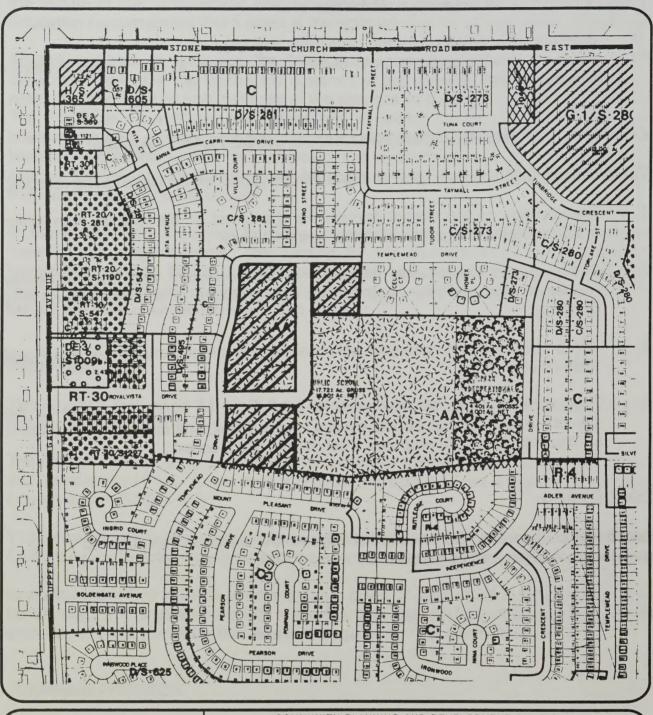
The proposed neighbourhood plan changes can be supported for the following reasons:

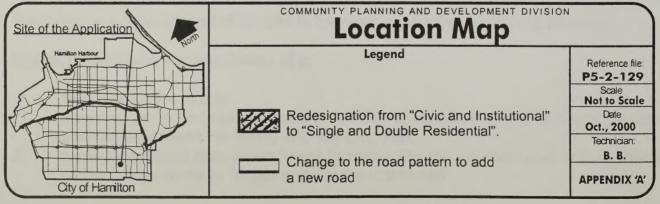
- 1. The location of the school implements the intent of the Official Plan which encourages the integration of school and park uses;
- 2. The proposed single-family dwelling lots are consistent with the low density residential land use and the proposed lotting pattern of adjacent single-family dwellings;
- 3. The proposed street intersects with two existing street (Arno Street and Royal Vista Drive);
- 4. The retention of the 16 acre parcel of land is not an affordable option for the school board since maintaining excess land is costly. The optimum school site is 5 acres and the Board proposes a school site of 8.9 acres.

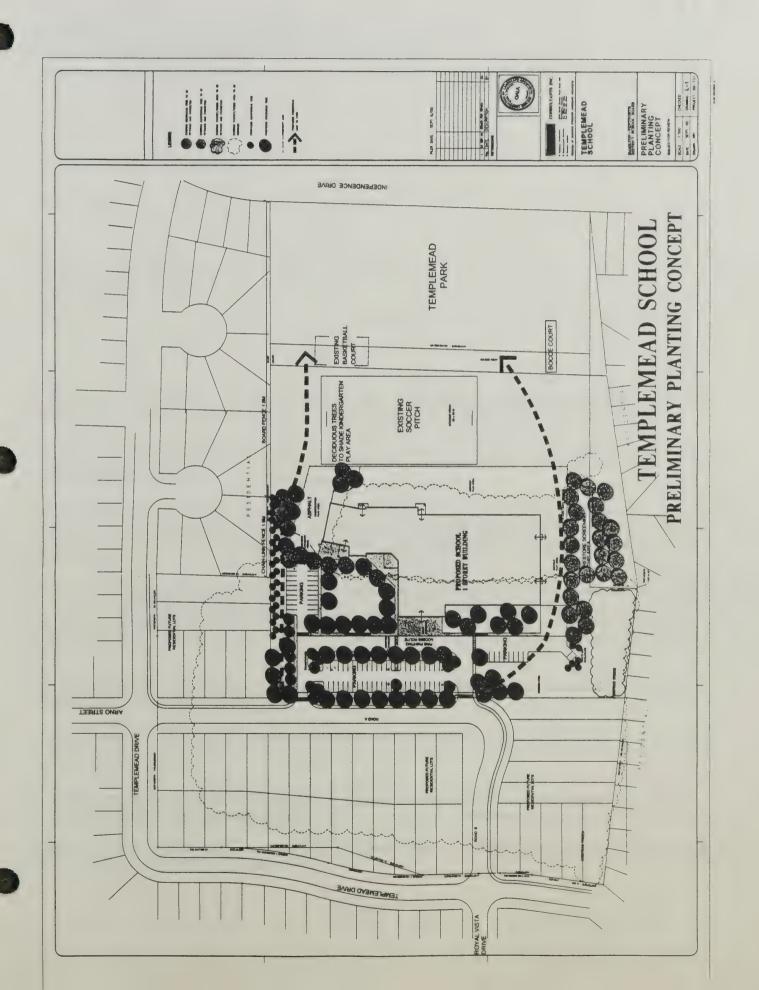
CONCLUSION:

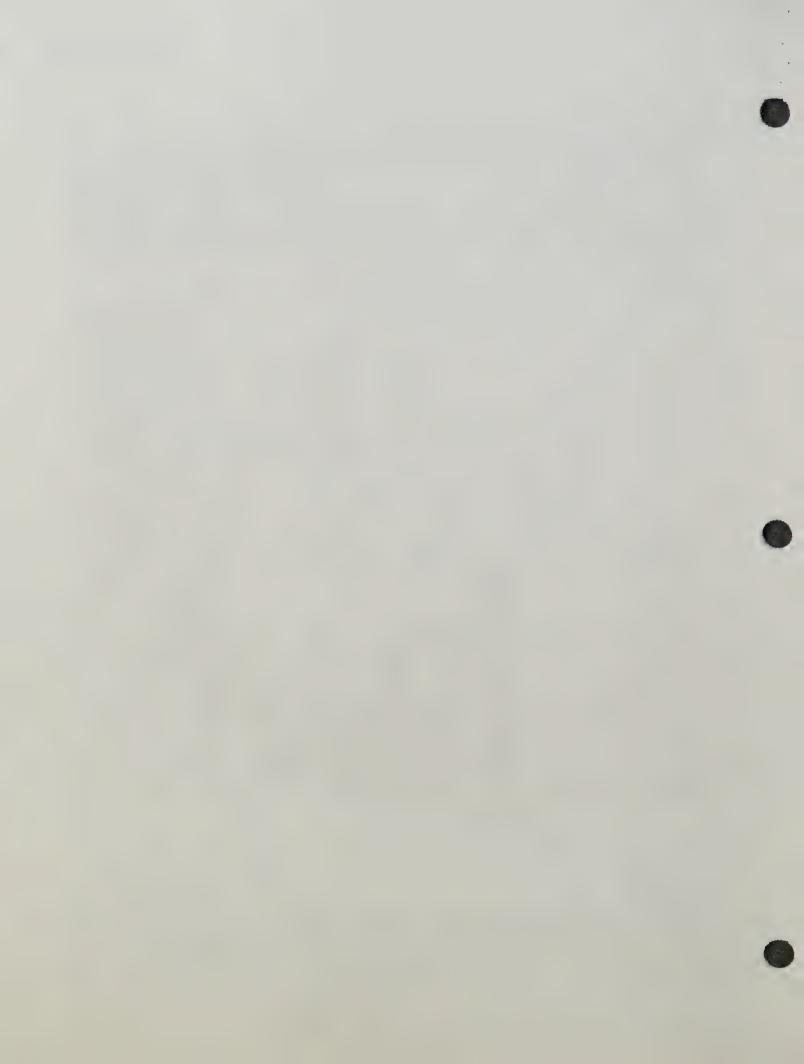
Based on the foregoing, the proposed changes to the approved Templemead Neighbourhood Plan can be supported.

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EDWYN AND SHARON LEWIS

October 8, 2000

Joanne Hickey-Evans Community Planning and Development Division 71 Main Street West, 5th Floor Hamilton, Ontario L8P 4Y5

In reply to:

On October 6, 2000 we received a letter from you with regards to a meeting about the rezoning of the Boar of Education property on Templemead Drive in the city of Hamilton. The following are our comments about this situation

From the time we purchased our property, we have known, and accepted, that a school was to be erected on the property opposite our property. We attended meeting(s) eight or nine years ago regarding the planning of same and we thought everything was a go. NOT!!!! So we waited and waited.

On September 25, 2000 we attended a meeting conducted by the Board of Education and various civic employees and elected officials. The new proposal was a shock and most upsetting to most people in this neightbourhood and we are all against it. We feel cheated, tricked and lied to and the lack of trust for our elected officials and the bureaucracy surrounding them is most astounding.

There was a lady at this meeting who was from the planning department, and I apologize for not remembering her name, who said, in so many words, that the severed land would be for single family houses of equal value and presence to the existing homes. The letter from you states "to designate the north-west portion of the site from 'Civic and Institutional' to 'Single and DOUBLE' residential". The word "DOUBLE" bothers us to no end because we fear the outcome of this change and we will tell you why.

There is absolutely no guarantee on the end usage of the severed land and we have serious doubts in how much control City Hall has over any of this.

I, Edwyn, have lived on the east end of the mountain all my life (56 years) and it has not developed like the west end of the mountain has and this is exacerbated by the lack of the Red Hill Creek Expressway so the reselling of these severed lots may be more difficult than anticipated.

We witnessed the original developer of this area, Alterra, forced to sell off several lots that were basically unsaleable and houses of different design were erected on these lots. Not what we expected when we purchased our home

We fear that blasting will be done and we had cracks in our basement before we moved in, we are the original buyers, and we do not want more cracks or other problems that may result.

We fear that any new developers in this area will meet the same problems Alterra had and will have the zoning changed again and we fear what might result. Our property is not worth the same value it was when purchased in 1990 and we do not wish a further reduction.

We had to persevere muddy streets for much longer than anticipated because it took so long to complete this survey and now we must do it again. NO!!!

One of our neighbours mentioned the short sightedness of the Board of Education because they are closing themselves in from any future expansion. Why are they adding 500 to 550 new student placements when they have 10,000 placements too many now?

We are concerned about losing green space. The original plan kept much more of this green space and once this property is sold off the trees will be gone.

We are concerned with the money being spent on studies of this property that were done 10 years ago. We believe the land has not moved.

We feel the Board of Education may be expecting to raise unrealistic amounts of money from sales of their properties. Is this piece of land worth \$1,000,000.00? If so, where does the balance of the \$7,500,000.00 come from?

We fear the possibility of under-the-table deals being made. One of the officials at this September meeting had a last name that is almost synonymous with the words real estate in the city of Hamilton.

We fear the Board of Education may be trying to create its own market. The original school proposal called for bussing but the new one does not. Is this because they are counting on school-age children living in these new homes?

There is land in this area that has NOT been developed since creation. This indicates the lack of viability in this area of the city.

There is no guarantee the school will be built after the land is severed. The school board gets the money, the political environment changes again and what happens to the balance of the property? A recent study, headlines in the Hamilton Spectator Oct 8/00, indicates \$15 million needed to repair existing schools that were never properly maintained.

There will be a noticeable increase in traffic on Templemead. It is the main artery to get in and out of this survey and we get a lot of vehicles passing our home now. Speed limits and stop signs are not obeyed at all.

The time of day for this meeting is quite inconvenient considering that most people will be at their jobs. It does make one wonder if their letters will be acknowledged as it does appear to be a stacked deck

Are the sewers and water supply adequate in volume and pressure?

Bottom line is build the school as originally planned with green space or leave the area as green space and rezone as such.

Sincerely

yn J. Kewis Sharon R

c.c. Tom Jackson, Beth Phinney, The Honourable Janet Ecker, Marie Bountrogianni, Ministry of Education.

- RECOMMENDATION -

DATE:

October 12, 2000

CI-95-E

REPORT TO:

Chairman and Members

Planning and Development Committee

FROM:

Lee Ann Coveyduck

General Manager

Community Planning and Development Division

SUBJECT:

Delegation of Approval Authority - Site Plan Control Applications

(PDC00176)

RECOMMENDATION:

That Corporate Counsel by authorized and directed to prepare the appropriate by-law to delegate the authority for approval of applications for Site Plan Control to the Germal Manager, Community Planning and Development Division and, in his or her absence, the Acting General Manager.

EXPLANATORY NOTE:

The purpose of the by-law is to delegate the authority for the approval of all Site Plan Control applications to the General Manager, Community Planning and Development Division, and, in his or her absence, the Acting General Manager.

The effect of the by-law is to provide for continued approval of all Site Plan Control applications after the November 13, 2000 municipal election.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Transition Board approval is not required.

N/A

BACKGROUND:

By-law No. 79-275 and By-law No. 87-223.

By-law No. 79-275 as passed by City Council on September 25, 1979, designated certain areas and classes of development within the City as being subject to Site Plan Control. By-law No. 87-223, passed by City Council on July 28, 1987, amended By-law No. 79-275, by changing the references to the Planning Act from Section 35a to Section 40 in keeping with changes to the Act.

Council Resolution - April 26, 1988

City Council, on April 26, 1988, passed a resolution authorizing the Chairman of the Planning and Development Committee and the appropriate Ward Alderman to approve Site Plan Control applications. This resolution also provided that, where considered appropriate by the designated signing authorities, the application would be forwarded to Planning and Development Committee for approval.

This procedure was put in to place to expedite the approval process. Prior to this process being implemented, Site Plan Control applications required the approval of the Planning and Development Committee.

COMMENTS:

The municipal election will be held on Monday, November 13, 2000. Presently, the Chairman of Planning and Development Committee and the Ward Alderman have delegated authority for approval of Site Plans. Staff want to ensure that Site Plan Control applications that are currently being processed and any new applications submitted, can be approved without a disruption in service to the development community following the elections.

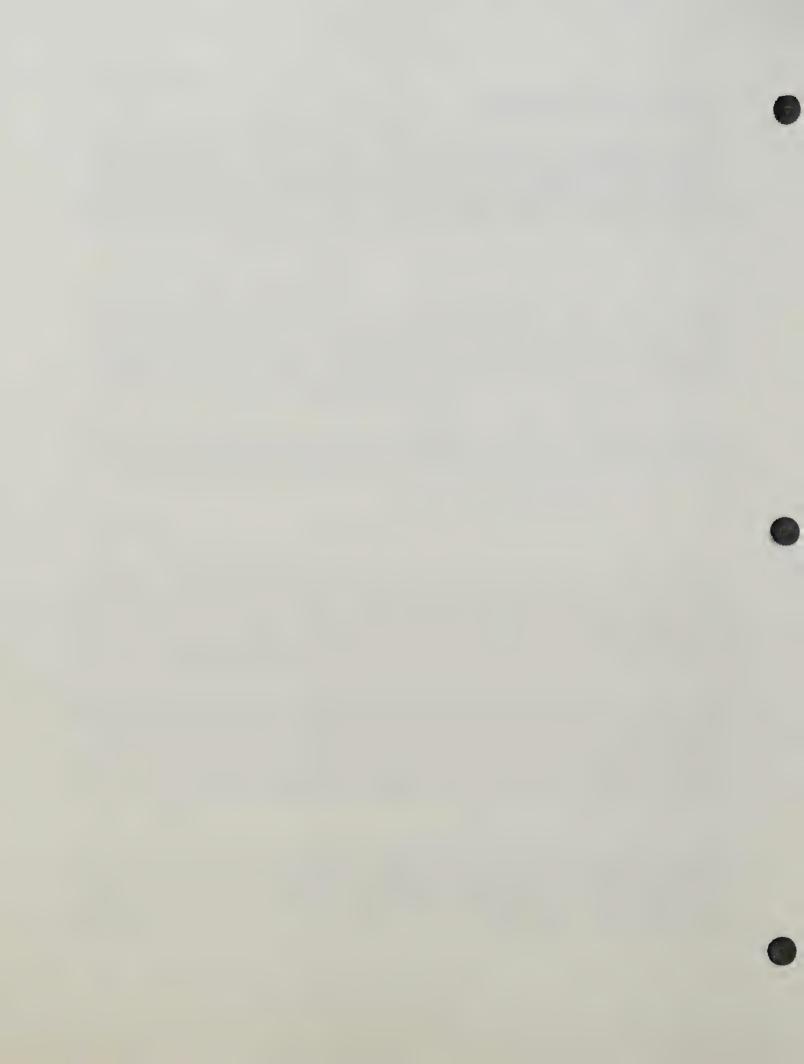
Section 41(13)(b) of the Planning Act provides that the Council of a municipality may delegate by by-law, some of its authority in administering the site plan approval process to a Committee of Council or to an appointed officer of the municipality. In this regard, it would be appropriate for City Council to pass the appropriate by-law to delegate approval authority for Site Plan Control applications to the General Manager, Community Planning and Development Division, and, in his or her absence, the Acting General Manager.

It should be noted that on September 11, 2000 Council for the Town of Ancaster passed a by-law delegating approval authority of all Site Plan Control applications to the Acting Director of Planning and Building and Director of Engineering. It is understood that Stoney Creek, Dundas and Flamborough will be considering a similar delegation authority.

SUMMARY AND CONCLUSIONS:

Based on the foregoing, it is appropriate for City Council to pass the appropriate by-law to delegate authority for approval of Site Plan Control applications to the General Manager, Community Planning and Development Division, and, in his or her absence, the Acting General Manager. This will ensure continued service to the development industry following the municipal election.

CLF/ CI-95-E



October 10, 2000

Tina Agnello Secretary Planning & Development Committee

This letter is my request that my earlier request for a waiver of the two year building requirement as per Bill PR 140 be put on the agenda of the Planning & Development meeting of October 18, 2000.

This item was on the agenda of the October 4, 2000 meeting. Alderman Bill Kelly requested to have it put ahead to the next meeting so that final improvements to the land could be completed.

Please confirm to me at

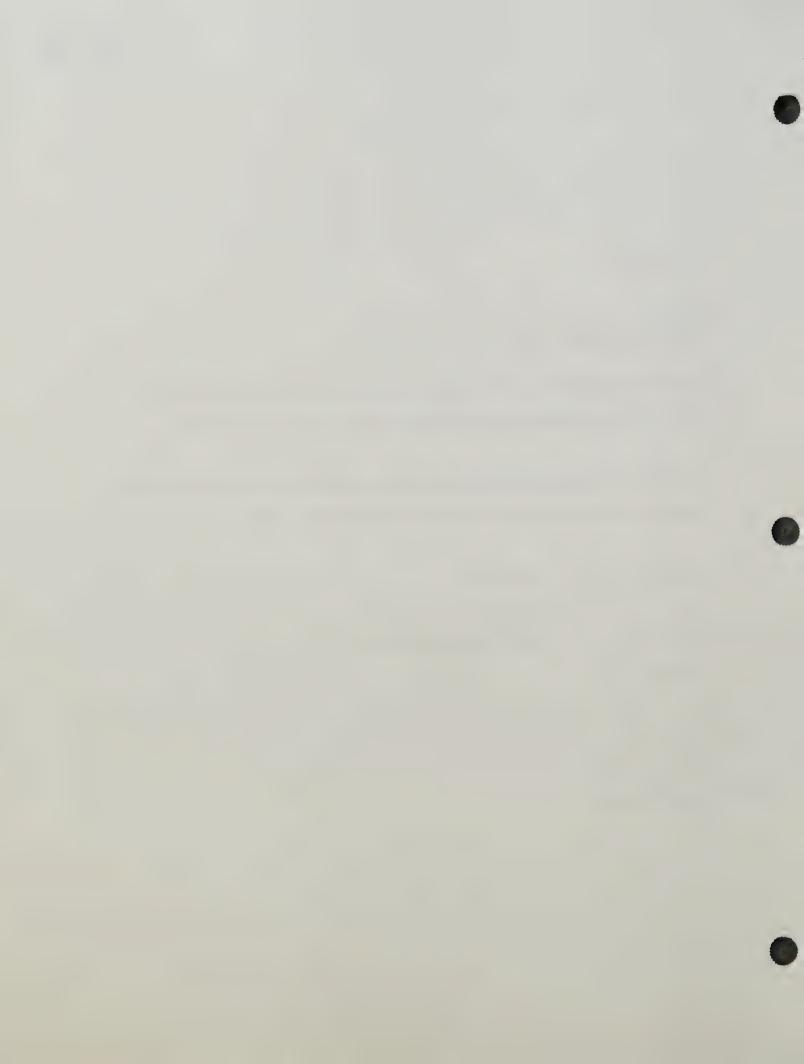
31 Cross Street

Dundas Ontario L9H 2R5

905 522 1368 or 905 627 7069

Thank you.

Clair W. C. Sellens



Tabled to Oct 25 P+D Mtg

September 21, 2000

Tina Agnello Secretary Planning & Development Committee

This letter is my request that my earlier request for a waiver of the two year building requirement as per Bill PR 140 be put on the agenda of the Planning & Development meeting of October 4, 2000. The previous request for the waiver was tabled and never voted on.

Please confirm to me at

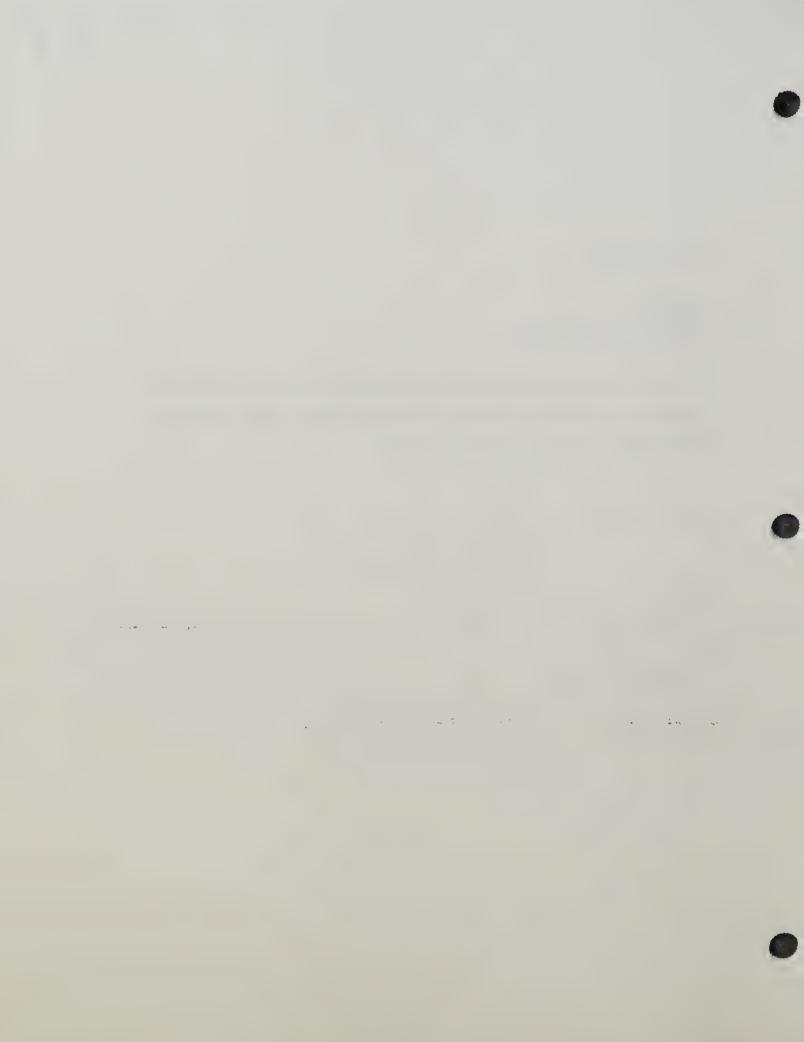
31 Cross Street

Dundas Ontario L9H 2R5

905 522 1368 or 905 627 7069

Thank you.

Clair W. C. Sellens



Office of the Municipal Clerk Memorandum

TO:

Tina Agnello, Secretary

Planning and Development Committee

FROM:

K.C. Christenson

Acting Municipal Clerk

Office of the Municipal Clerk

PHONE:

(905) 546-2727

DATE:

October 11, 2000

SUBJECT:

Referral of Council Correspondence regarding Enterprise Zones from

Regional Council

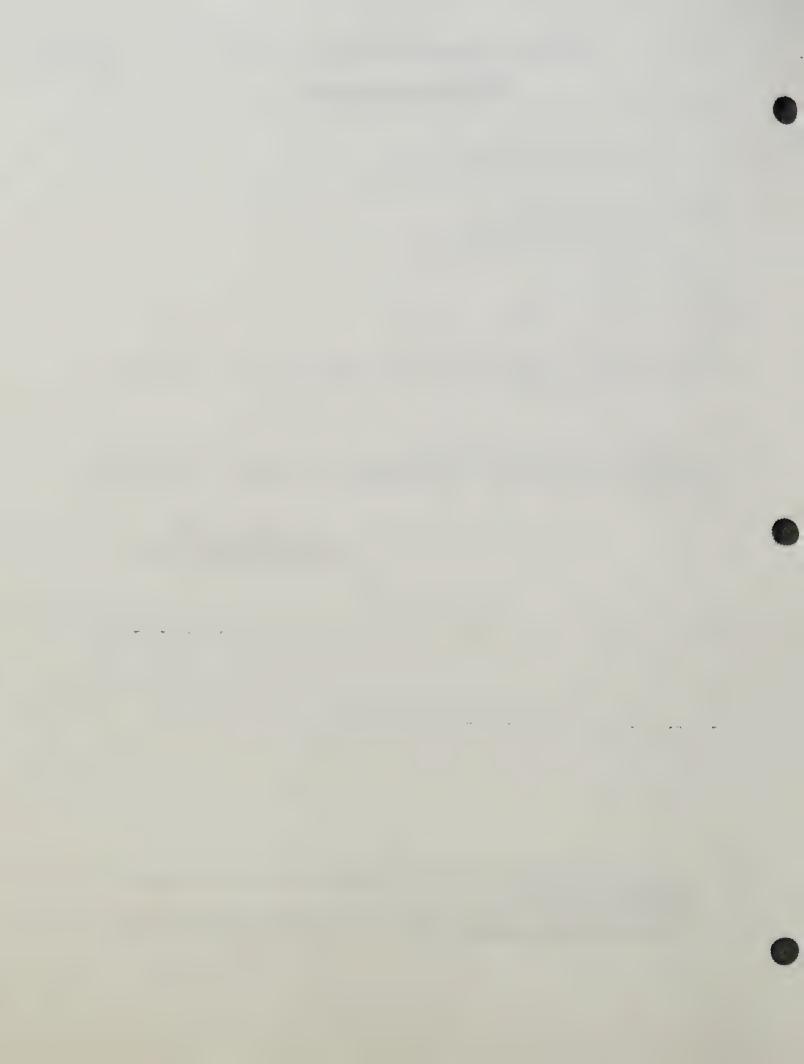
City Council at its meeting of October 10, 2000 referred are above noted correspondence attached hereto to the Planning and Developme. Commit e for consideration.

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cc. Lee Ann Coveyduck, General Manager, Community Planning and Development Division (Face page only)

N. Catalano, Director, Economic Development Department (Face page only)

T. Bradbury, Acting General Manager, Finance (Face page only)





CITY OF HAMILTON AND REGION OF HAMILTON-WENTWORTH

Corporate Services
Office of the Municipal Clerk
Telephone (905) 540-5587
Facsimile (905) 546-2095
E-mail: clerk@hamilton-went.on.ca

October 5, 2000

Mayor R. M. Morrow and Members of City Council:

Re: Referral from Regional Council respecting Enterprise Zones

Subjoined for the information of City Council is Section 1 of Report 06-00 of the Economic Development and Tourism Committee respecting Enterprise Zones as adopted by Regional Council at its meeting held October 3, 2000.

As referenced in subsection (f), Regional Council approved that Report PDR00139 be referred to the City of Hamilton Council to direct the Planning and Development Committee to convene a public meeting to receive input on the creation of an Enterprise Zone under the Community Improvement Plan for the areas defined by the Downtown Business Improvement Area and the International Village Business Improvement Area.

1. Enterprise Zones (PDR00139) (Item 4)

(a) That Staff be authorized and directed to implement the Downtown Enterprise Zone Criteria/Incentives detailed in the Analysis Section of Report PDR00139 as follows:

Analysis

The Enterprise Zone, details of which are identified in Appendix "A" attached hereto, has been successfully used in the United States (USA) and the United Kingdom (UK) and, as a result, Staff has modelled this section under their experiences, recognizing that legal statutes are different in these jurisdictions versus Ontario.

The Enterprise Zone is intended to create jobs and opportunities in the most economically distressed areas of inner cities and it targets tax incentives, loans, etc. to these areas to assist in the revitalization. The following criteria, incentives, measurements and process are proposed:

Criteria:

- 1. That the areas defined by the Downtown and International Village Business Improvement Areas, as identified in Appendices "B" and "C" attached hereto, be the pilot project test area;
- 2. For a proposal to qualify it must have at least a 50% annualized vacancy rate commercial/residential);
- 3. Proposals for re-development cannot have a total gross floor area of greater than 30,000 sq. ft. in. Additions to the structure can exceed 30,000 sq. ft. in total area;
- 4. To stimulate new development and reduce the number of vacant sites, all parking lots and vacant sites are included; and,
- 5. All hotels and motels that have an annualised occupancy of less that 50% would qualify.

The criteria have been established after extensive consultation with the two (2) Business Improvement Areas and Municipal Staff and Provincial input from Ministries of Finance and Municipal Affairs and Housing.

Incentives

- 1. Tax assessment increase resulting from improvements to any of the qualifying projects will be waived for a period of five years. The loss of tax revenue would be recaptured among all tax classes in the community;
- 2. New development or re-development would be assessed at current market value;
- 3. The tax waiving incentive for a five year period would apply to the educational component. This revenue loss to the School Boards would be replaced by an annual Provincial grant;

- 4. The current Council approved 'No Fee Policy' would remain in effect for five (5) years;
- 5. GST and PST would not be applicable on goods and services provided to qualifying projects; and,
- 6. The Enterprise Zone would remain in effect for five (5) years but be subject to annual review based on benchmarks and performance measurements.
- (b) That the Province be requested to allow greater local tax setting latitude, including the full or partial elimination of clawback contributions to the capping program, for lands within the Enterprise Zone and property tax classes; and,
- (c) That the Province be requested to amend legislation and/or regulations to allow the financing arrangements for the capping program to be made more flexible, such that the clawback contributions indicated in recommendation (b) be recaptured over the entire tax assessment base of the New City of Hamilton; and,
- (d) That the Province be requested to provide a grant equivalent to the revenue loss to the New City of Hamilton on the tax generated by the incremental assessment for the five year waiver period; and,
- (e) That Report PDR00139 be referred to the New City of Hamilton Council for consideration of the taxation implications in the preparation and formulation of taxation policy for 2001; and,
- (f) That Report PDR00139 be referred to the City of Hamilton Council to direct the Planning and Development Committee to convene a public meeting to receive input on the creation of an Enterprise Zone under the Community Improvement Plan for the areas defined by the Downtown Business Improvement Area and the International Village Business Improvement Area; and,
- (g) That the cost of the program plus the administration, based on the uptake, be identified at year end and segregated for reimbursement by spreading out the revenue loss among the entire tax assessment base in the New City of Hamilton for any portion not covered by a grant from the Province as set out in recommendation (d); and,

UNITED STATES

ENTERPRISE ZONES

WHAT ARE THEY?

WHAT IS AN ENTERPRISE ZONE (EZ)

- an economic development initiative founded in the United States and now also in practise in the United Kingdom. In the U.S., it is used to combat inner city problems such as; concentrated poverty, increasing crime, an exodus of jobs, declining schools, middle-class flight, and a deteriorating tax base
- the enterprise zone targets tax incentives, performance grants, and loans to designated geographic areas in or near the core of a city/urban area. It also focuses on activities to support people looking for work, job training, child care and transportation.
- its purpose is to create jobs and opportunities in the most economically distressed areas of inner cities and it is a program in which communities drive the decision making process regarding its implementation.

HOW IT BEGAN

- in 1992 the civil disturbances in Los Angeles were cited by many as the catalyst for the U.S. Congress to pass the Federal Enterprise Zone program a year later
- in 1993, the U.S. Senate approved the Omnibus Budget Reconciliation Act which saw Enterprise Zones enacted as federal legislation and HUD (the Department of Housing and Urban Development) assuming the lead role
- in December 1994, President Clinton designated 72 urban areas in the U.S. as "enterprise zones"

individual states were provided a vehicle through federal legislation that enabled them to create and designate enterprise zones within eligible communities

HOW IT WORKS

- · a specific time limit for the life of an enterprise zone is established anywhere from a minimum of 5 years to a maximum of 20 years
- the enterprise zone must be re-approved on an annual basis to ensure compliance with the Act
- the EZ is designated on a geographic basis (i.e. a % of the entire area or specific boundaries - similar to a Community Improvement Plan)
- the U.S EZ must meet established eligibility criteria, which may include:
- a 150% rate above the state's quoted annual unemployment rate (i.e. 6% for the EZ if the state rate is 4%)
- a loss in population greater than 10% in the last 10 years
- at least 20% of the population must be economically disadvantaged
- at least 15% of the residents of the area must earn less than the average wage in the state

ADVANTAGES OF AN ENTERPRISE ZONE

- the EZ provides a framework to pull together a range of economic development tools to revitalise a specific geographic area
- they meet a wide range of economic goals
- job creation and retention
- reversal of disinvestment
- generation of new tax revenues
- neighbourhood and environmental improvement
- quality of life improvement
- they encourage business development by reducing the costs of doing business

DOWNSIDE OF AN ENTERPRISE ZONE

- are the costs of the incentives and tax relief greater than the local benefits
- does it create a competitive advantage for one area or sector versus another
- how is the boundary of the zone equitably established and who makes that decision
- is the life span of the zone designation sufficient to get a return for the incentives & tax relief
- will it be sustainable development
- who bears the cost of the administration the municipality?

A U.S. EXAMPLE: SANTA ANA, CALIFORNIA

- in 1993 the City of Santa Ana (capital of Orange County) was designated as an enterprise zone by the state
- they immediately instituted a number of programs including
- a sales and use tax credit (for the purchase of machinery)
- hiring credits (reduction of state income tax)
- business expense deduction (purchase of property)
- net operating loss carryover
- net interest deductions for lenders
- manufacturers investment tax credit

RESULTS:

- extremely successful and won the national award for EZ excellence
- significantly raised the per capita income and lowered the unemployment & poverty rates dramatically in the city
- attracted several major employers to the city (the EZ) including; ITT Cannon, EMI and GT Bicycles

HAMILTON

STRUCTURAL DIFFICULTIES

In this analysis we have tried to recognize that one, if not the primary reason for the migration of businesses to the suburbs, has been the structural inequities that exists in the property tax system. Downtown has traditionally garnered the highest property values as they were seen to be the centre of commerce and revenue generation. When the Provincial government introduced Current Value Assessment, property taxes in the defined area of the two designated BIA dropped significantly. Property tax decreases were common in the 20 to 30% range, which were more reflective of current market value assessment and as such created a competitive/fair process throughout the New City of Hamilton.

The community, in conjunction with the local Chamber of Commerce, the business sector, the residents and elected officials took advantage and utilized all of the tools that were available, under then existing legislation, to implement a tax fairness system throughout the community. It is a compliment that so many players representing many diverse and varied interests came together to recognize the value of a vibrant downtown core.

Unfortunately with the Provincial capping of 5, 5 and 10, years of hard work and effort were laid to rest. The savings did not materialize, the taxing inequities continued and/or were protracted in their implementation schedule, complaints were and continue to be numerous throughout the downtown core. The intent of current value assessment was compromised.

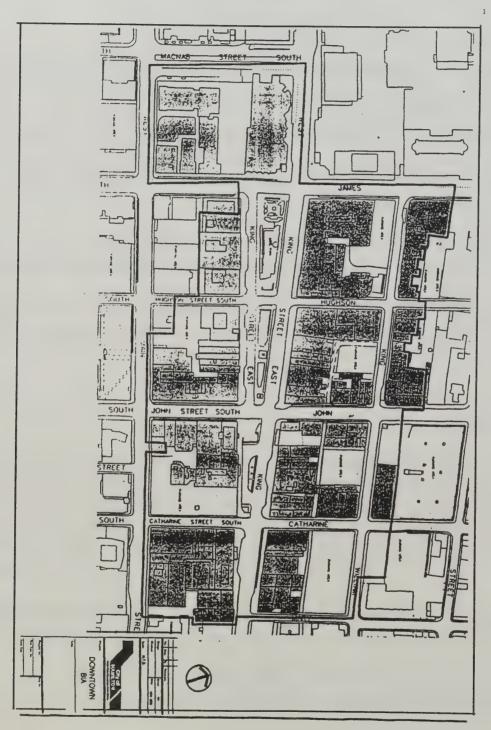
The pilot project that we are asking the Provincial Government to consider is to recognize these inequities and allow a community that has made a business, residential and political decision to move forward and revitalize its core. We recognize that a pilot project will have to undergo scrutiny and modification but it is an initial step towards remedying some of the existing inequities.

CONCLUSION

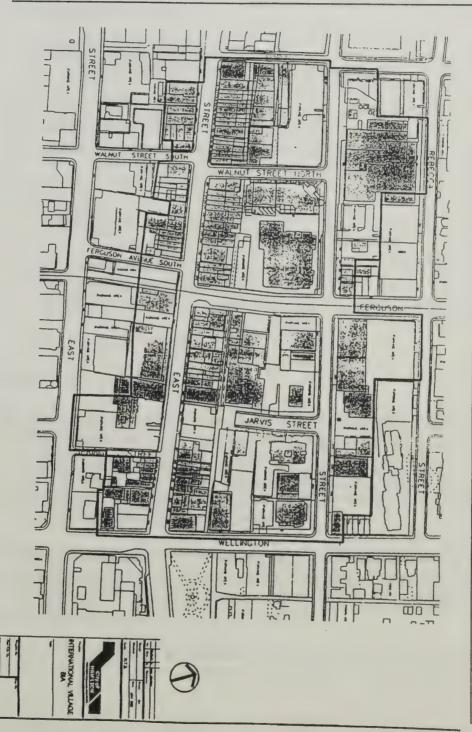
A meeting was convened approximately 3 months ago to examine the above noted issues. In attendance were elected officials representing the Provincial and Federal levels of government from the Liberal, Conservative and NDP parties. This group was complemented by the Executive Directors and Presidents of the two BIA's as well as other special interest groups. They all strongly recognize the unfair and uncompeditive tax situation that has been prevalent in the downtown core for some time.

Pursuant to this meeting, staff and the two BIA-Executive Directors, met with staff of the Ministries of Finance and Municipal Affairs and Housing. We were encouraged to pursue these issues, obtain input and direction from Council and formulate a report for provincial and federal consideration, while similarly allowing the community the latitude to deal with issues at the local level.

Appendix "B" as referred to in Section 1 (a) of Report 06-00 of the Economic Development and Tourism Committee for September 25, 2000



Appendix "C" as referred to in Section 1 (a) of Report 06-00 of the Economic Development and Tourism Committee for September 25, 2000



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REGION OF HAMILTON-WENTWORTH

- RECOMMENDATION -

DATE:

September 19, 2000

REPORT TO:

Chairman and Members

Economic Development and Tourism Committee

FROM:

Lee Ann Coveyduck General Manager

Community Planning and Development Division

Nicolas Catalano

Director

Economic Development Department

Tom Bradbury

Acting General Manager Finance Department

SUBJECT:

Enterprise Zones (PDR00139)

RECOMMENDATION:

- a) That staff be authorized and directed to implement the Downtown Enterprise Zone Criteria/Incentives detailed in the Analysis Section of Report PDR00139.
- b) That the Province be requested to allow greater local tax setting latitude, including the full or partial elimination of clawback contributions to the capping program, for lands within the Enterprise Zone and property tax classes.
- c) That the Province be requested to amend legislation and/or regulations to allow the financing arrangements for the capping program to be made more flexible, such that the clawback contributions indicated in recommendation (b) be recaptured over the entire tax assessment base of the New City of Hamilton.
- d) That the Province be requested to provide a grant equivalent to the revenue loss to the New City of Hamilton on the tax generated by the incremental assessment for the five year waiver period.
- e) That Report PDR00139 be referred to the New City of Hamilton Council for consideration of the taxation implications in the preparation and formulation of taxation policy for 2001.

SUBJECT: Enterprise Zones (PDR00139)

- f) That Report PDR00139 be referred to the City of Hamilton Council to direct the Planning and Development Committee to convene a public meeting to receive input on the creation of an Enterprise Zone under the Community Improvement Plan for the areas defined by the Downtown Business Improvement Area and the International Village Business Improvement Area.
- g) That the cost of the program plus the administration, based on the uptake, be identified at year end and segregated for reimbursement by spreading out the revenue loss among the entire tax assessment base in the New City of Hamilton for any portion not covered by a grant from the Province as set out in recommendation (d).
- h) That staff be authorized and directed to approach the Ministry of Finance and the Ministry of Municipal Affairs and Housing regarding the tax implications to the School Boards generated by this proposed pilot program and that any revenue loss to the School Boards be met by an annual grant from the Ministry of Finance.
- i) That staff be authorized and directed to approach the Federal Ministry of Finance GST Division and the Provincial Treasury PST Division for the exemption/rebate of such tax on all goods and services related to new and/or incremental development in the area defined by the Enterprise Zone.
- j) That Report PDR00139 be forwarded to the Transition Board for endorsement and for consideration as part of the 2001 budget process.

Lee Ann Coveyduck

General Manager

... Community Planning and Development Division

Nicolas Catalano

Director

Economic Development Department

Calala s:

Tom Bradbury

Acting General Manager

Finance Department

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Report PDR00139 requires Transition Board approval as it will have tax policy implications in 2001.

SUBJECT: Enterprise Zones (PDR00139)

Financial

The elimination of the clawback contributions to the capping program for commercial properties in the defined Enterprise Zone will result in an estimated tax redistribution of \$3.3 million. This will result in a tax redistribution of approximately \$14 on a residential property assessed at \$150,000.

With respect to the waiver of incremental taxation on the area improvements, if the Province does not provide the grant as outlined in recommendation (d), it is estimated that each \$1,000,000 in improvements would generate a taxation revenue loss of \$70,000. Based on 2001 assessment projections, spreading the recovery of the \$70,000 across the Regional assessment base would cost each \$150,000 residential property \$0.30 per annum. If recommendation (h) is successful, the education portion of the recovery would be payable by the Province and not local taxpayers reducing the \$0.30 to approximately \$0.15 per household required to fund the incremental tax deferral.

Staffing

The program can be administered and monitored within the existing staff complement in the Finance Department and the Community Development and Planning Division. Should the uptake generate increased workload, a follow up report will be provided.

SUSTAINABLE COMMUNITY IMPLICATIONS:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all regional decision-making.)

This initiative will facilitate the re-development of existing properties and the utilization of vacant parking lots consistent with the adaptive re-use of property as per the principles of Vision 2020.

BACKGROUND:

Research indicates that taxes are uncompetitive in the downtown core. In the original current value assessment (CVA) analysis, prior to 10-5-5 capping/policies, approximately 85% of the commercial properties in the core were experiencing assessment related reductions. However, the Provincial capping program was introduced in late 1998 to protect commercial, industrial and multi-residential class property owners from large taxation increases as a resulting form the introduction of CVA. Increased taxation levies for properties in these classes were capped at 10% in 1998, 15% in 1999 and 20% in 2000 plus or minus and budgetary changes, over what they had paid in 1997. Funding for the capped increases was recovered from property owners in the same class that were experiencing taxation decreases as a result of reassessment which had a significant negative impact in downtown Hamilton.

Downtown taxes are considered by financial institutions and other lenders as a second debt instrument on development of a property. It has been difficult to mitigate this costing differential in securing financing.

The unfair tax burden has resulted in areas of our downtown that have vacancy rates in excess of 50%. A healthy downtown is critical to the health of our community. In order to deal with the results of this unfair tax burden, staff has been meeting with the Province and in 1992, Regional staff met with the then government of day, the New Democratic Party, in Toronto. In attendance were representatives of the Ministries of Municipal Affairs and Housing, Finance, Provincial Facilitator and a number of policy analysts from the Province. An Enterprise Zone conceptual proposal was presented for their consideration, which unfortunately, did not proceed due to the change in government shortly thereafter.

Approximately two (2) years ago, in conjunction with the Executive Directors of the International Village and Downtown Business Improvement Areas and staff of the Economic Development Department, research was undertaken in Canada, the United States and the United Kingdom to look at how other communities were addressing the issues prevalent to many North American cities in their efforts to revitalize downtown cores.

Staff met with senior policy people from the Ministry of Finance and Ministry of Municipal Affairs and Housing in conjunction with the Parliamentary Assistant to the Minister of Finance (Mr. Young) to obtain initial feedback and comments. Staff and the two (2) downtown Business Improvement Areas were encouraged to proceed in developing a proposal under the Community Improvement Plan to establish an Enterprise Zone as a re-development initiative for the core. The avenue chosen is plausible and feasible under existing legislation and would not require a legislative change for the creation of an Enterprise Zone.

This program has been a work-in-progress for approximately nine (9) months. It is a means to address the structural inequities that have been the major stumbling block to facilitate downtown revitalization. The City of Hamilton and the Region of Hamilton-Wentworth have developed a number of creative policies to encourage development. They are:

- a) Façade improvement program.
- b) Conversion program for residential development.
- c) Heritage designation program.
- d) Tax program for heritage designated properties.
- e) The wavier of all fees related to the application process for development.

Numerous other smaller initiatives to assist the community in mitigating the tax differentials between developing in the downtown core versus other parts of the community have been developed as well. However, the current programs on their own are not enough and, for this reason, the recommendations to eliminate the clawback contributions to the capping program and the introduction of an Enterprise Zone are being presented.

Analysis

The Enterprise Zone (see Attachment 1 to Report PDR00139 for details) has been successfully used in the United States (USA) and the United Kingdom (UK) and, as a result, staff has modelled this section under their experiences, recognizing that legal statutes are different in these jurisdictions versus Ontario. The Enterprise Zone is intended to create jobs and opportunities in the most economically distressed areas of inner cities and it targets tax incentives, loans, etc. to these areas to assist in the revitalization. The following criteria, incentives, measurements and process are proposed:

Criteria:

- 1. That the areas defined by the Downtown and International Village Business Improvement Areas be the pilot project test area (see Attachments 2 and 3);
- For a proposal to qualify it must have at least a 50% annualized vacancy rate commercial/residential);
- 3. Proposals for re-development cannot have a total gross floor area of greater than 30,000 sq. ft. in. Additions to the structure can exceed 30,000 sq. ft. in total area;
- 4. To stimulate new development and reduce the number of vacant sites, all parking lots and vacant sites are included; and,
- 5. All hotels and motels that have an annualised occupancy of less that 50% would qualify.

The criteria have been established after extensive consultation with the two (2) Business Improvement Areas and Municipal staff and Provincial input from Ministries of Finance and Municipal Affairs and Housing.

Incentives

 Tax assessment increase resulting from improvements to any of the qualifying projects will be waived for a period of five years. The loss of tax revenue would be recaptured among all tax classes in the community;

- 2. New development or re-development would be assessed at current market value;
- 3. The tax waiving incentive for a five year period would apply to the educational component. This revenue loss to the School Boards would be replaced by an annual Provincial grant;
- 4. The current Council approved 'No Fee Policy' would remain in effect for five (5) years;
- 5. GST and PST would not be applicable on goods and services provided to qualifying projects; and,
- 6. The Enterprise Zone would remain in effect for five (5) years but be subject to annual review based on benchmarks and performance measurements.

Measurements

- 1. Number of projects per annum.
- 2. Number of new residential units.
- 3. Expansion of quality commercial space.
- 4. Vacancy rates of the qualified projects.
- 5. Number of parking lots and/or vacant sites developed.

Process

- 1. Examine each project on a case by case basis.
- 2. Identify the tax benefits of the redevelopment pre and post capping.
- 3. Quantify the cost of the redevelopment to the School Boards.
- 4. Quantify the loss of revenue to the New City of Hamilton.
- 5. Loss of tax revenue plus carrying and administrative charges to be spread out over the entire tax assessment base of the New City of Hamilton in the following year.
- 6. The program cost will be measured against the incremental tax benefits that will be provided by the developments but the more significant benefit will be the elimination of blighted, underutilized and boarded facilities that dot the downtown core.

NOTE: While the pilot project has been targeted at the City of Hamilton downtown core it is possible to expand the program to other parts of the New City of Hamilton pursuant to the identified criteria and <u>Planning Act</u> regulations.

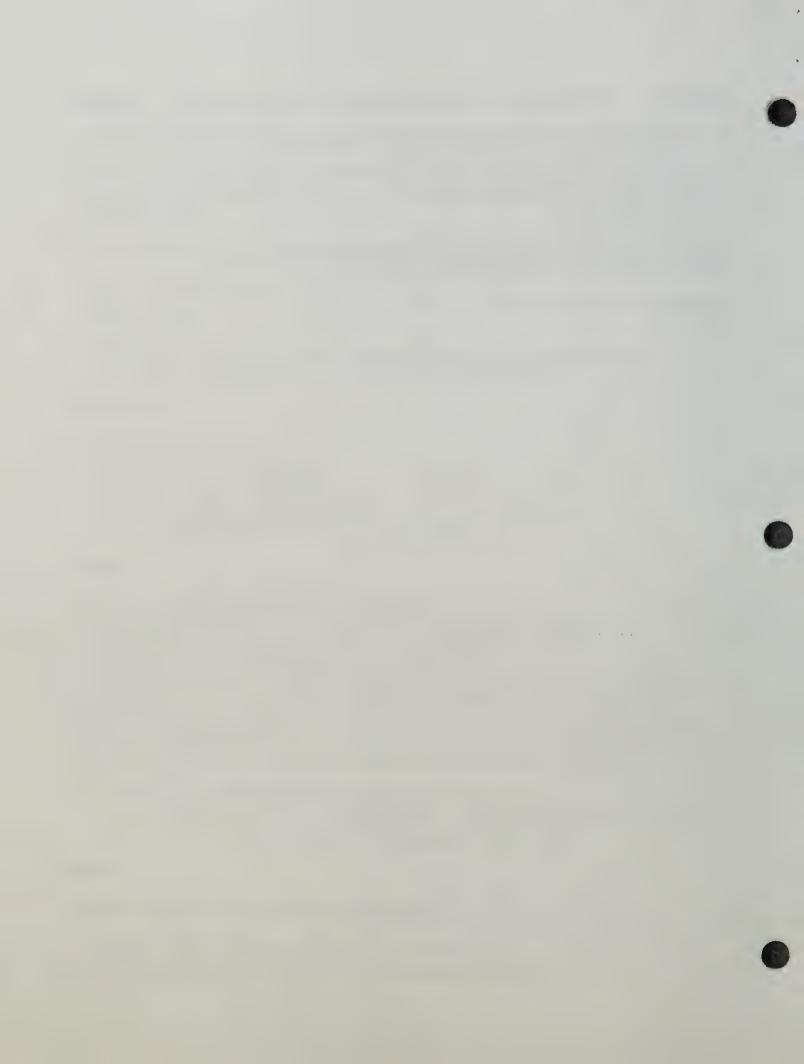
Rationale

This initiative seeks to address the costing differentials by:

- 1. Involving all levels of government (local/Provincial/Federal).
- 2. Addressing the need for downtown commercial redevelopment.

- 3. Addressing the need for residential development.
- 4. Utilizing existing infrastructure more efficiently.
- 5. Recognize that the core is the heart of a community.
- 6. Reduce blighted/boarded up properties.
- 7. Increase assessment.
- 8. Provide the framework for beautification.
- 9. Create a competitive environment to stimulate development.
- 10. Reduce the number of vacant sites and parking lots.

Attachs. (3)





CAYON HBLAOS CSIPY 2000

Urban Municipal Collection 2nd Floor Hamilton Public Library



AGENDA

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

URBAN MUNICIPAL

NOV 0 7 2000

Tuesday, November 7, 2000 6:30 o'clock p.m. Room 233, Hamilton City Hall 71 Main Street West, Hamilton GOVERNMENT DOCUMENTS

Susan K. Reeder Acting Manager of Legislative Services/Records

CALL TO ORDER

- 1. DECLARATIONS OF INTEREST
- 2. DISCUSSION AGENDA
 - 2.1 Neighbourhood Plan Amendment Templemead Neighbourhood P5-2-129 (PDC00170) (Previously Tabled)
 - 2.1.1 Submission: Edwyn and Sharon Lewis
 - 2.2 Windermere Basin Modifications to By-law No. 00-163 (PDC00147(A)
- 3. ADJOURNMENT



CITY OF HAMILTON

- RECOMMENDATION -

2.1

DATE:

October 11, 2000

(P5-2-129)

REPORT TO:

Chairman and Members

Planning and Development Committee

FROM:

Ms. Lee Ann Coveyduck

General Manager

Community Planning and Development Division

SUBJECT:

Neighbourhood Plan Amendment - Templemead Neighbourhood

(PDC00170)

RECOMMENDATION:

That the approved Templemead Neighbourhood Plan be modified as follows:

i) to redesignate the lands at the north-west quadrant of the proposed Public School Board site from "Civic and Institutional" to "Single and Double Residential": and.

ii) to revise the road pattern to add a new street connecting Arno Street with Royal Vista Drive;

as shown on the attached map marked as APPENDIX "A".

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Transition Board Approval is not required.

It is Council adopted policy that neighbourhood plan changes require public meetings.

BACKGROUND:

The Templemead Neighbourhood Plan was approved in 1972. Similar to many other south mountain neighbourhoods, there is a large parcel of land set aside for a school.

The Hamilton-Wentworth District School Board owns a 6.47 ha (16 ac.) parcel of land in the middle of the Templemead neighbourhood. A consultant hired by the Ministry of Education recommended that 5 acres is the optimum size for an elementary school site.

Approximately seven years ago, the Board developed a plan for the site which showed the school located in the north-west quadrant of the site. However, the building of a new school was put on hold because of the changes to the Provincial funding formulas. The Provincial Government has established a funding model which requires school boards to remove excess pupil capacity prior to receiving funding for new schools. The Hamilton-Wentworth District School Board has approximately 8-10,000 excess pupil spaces. No new provincial funding will be given to the school board until such time as this excess capacity is eliminated.

In September 2000, the Board Trustees approved building a new JK to 8 school in the Templemead neighbourhood. The funding for the new school is coming from the Hamilton-Wentworth District School Board's own resources, including proceeds from residential development of surplus lands. The location of the school and the size of the school site were changed from the 1993 concept.

PROPOSAL:

The proposal is to retain 3.6 ha (8.9 ac.) of land in the interior of the site and sever the remaining 2.8 ha (7.1 ac.) of land.

The school is proposed to be located adjacent to the existing Board owned soccer pitch and Templemead Park. A new road is proposed to connect Arno Street and Royal Vista Drive (see APPENDIX "A").

The remaining lands are proposed for approximately 45 single-family dwellings (12m/40 ft.) fronting on Templemead Drive and the new street (see APPENDIX "B")

In addition, the City owns a small triangular piece of land at the southern end of the school site. It is proposed the City exchange their parcel of land for small strip on the east side of the school site. This land exchange would "square off" both sites.

PLANNING PROCESS:

The proposed development of the site is following a two-phase planning process:

Phase 1 will include the submission of a:

- 1) site plan for the school;
- 2) a severance to dedicate the road to the City of Hamilton and to facilitate the land exchange between the Board and the City; and,
- a neighbourhood plan amendment to revise the road pattern and redesignate a portion of the lands to "single and double residential".

Phase 2 (in 2001) will include the submission of a:

1) draft plan of subdivision for the residential lots; and,

2) rezoning application from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) District.

COMMENTS OF THE PROPOSED NEIGHBOURHOOD PLAN CHANGES:

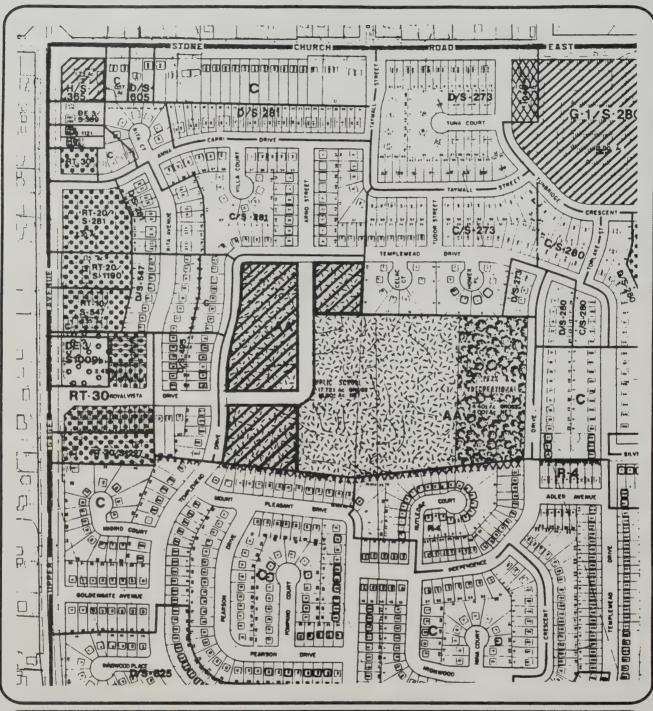
The proposed neighbourhood plan changes can be supported for the following reasons:

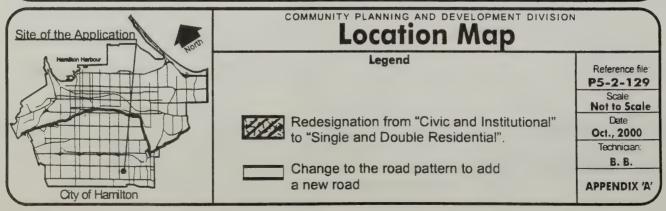
- 1. The location of the school implements the intent of the Official Plan which encourages the integration of school and park uses;
- 2. The proposed single-family dwelling lots are consistent with the low density residential land use and the proposed lotting pattern of adjacent single-family dwellings;
- 3. The proposed street intersects with two existing street (Arno Street and Royal Vista Drive);
- 4. The retention of the 16 acre parcel of land is not an affordable option for the school board since maintaining excess land is costly. The optimum school site is 5 acres and the Board proposes a school site of 8.9 acres.

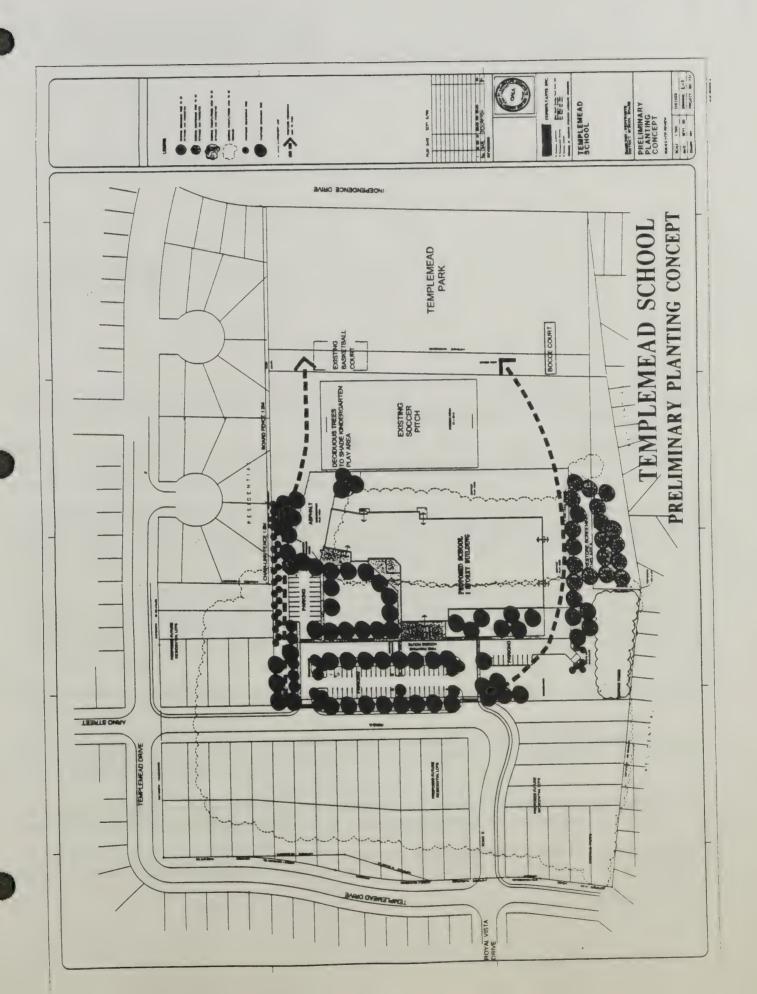
CONCLUSION:

Based on the foregoing, the proposed changes to the approved Templemead Neighbourhood Plan can be supported.

ihe









EDWYN AND SHARON LEWIS

October 8, 2000

Joanne Hickey-Evans
Community Planning and Development Division
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

In reply to:

On October 6, 2000 we received a letter from you with regards to a meeting about the rezoning of the Board of Education property on Templemead Drive in the city of Hamilton. The following are our comments about this situation.

From the time we purchased our property, we have known, and accepted, that a school was to be erected on the property opposite our property. We attended meeting(s) eight or nine years ago regarding the planning of same and we thought everything was a go. NOT!!!! So we waited and waited.

On September 25, 2000 we attended a meeting conducted by the Board of Education and various civic employees and elected officials. The new proposal was a shock and most upsetting to most people in this neightbourhood and we are all against it. We feel cheated, tricked and lied to and the lack of trust for our elected officials and the bureaucracy surrounding them is most astounding.

There was a lady at this meeting who was from the planning department, and I apologize for not remembering her name, who said, in so many words, that the severed land would be for single family houses of equal value and presence to the existing homes. The letter from you states "to designate the north-west portion of the site from 'Civic and Institutional' to 'Single and DOUBLE' residential". The word "DOUBLE" bothers us to no end because we fear the outcome of this change and we will tell you why.

There is absolutely no guarantee on the end usage of the severed land and we have serious doubts in how much control City Hall has over any of this.

I, Edwyn, have lived on the east end of the mountain all my life (56 years) and it has not developed like the west end of the mountain has and this is exacerbated by the lack of the Red Hill Creek Expressway so the reselling of these severed lots may be more difficult than anticipated.

We witnessed the original developer of this area, Alterra, forced to sell off several lots that were basically unsaleable and houses of different design were erected on these lots. Not what we expected when we purchased our home

We fear that blasting will be done and we had cracks in our basement before we moved in, we are the original buyers, and we do not want more cracks or other problems that may result.

We fear that any new developers in this area will meet the same problems Alterra had and will have the zoning changed again and we fear what might result. Our property is not worth the same value it was when purchased in 1990 and we do not wish a further reduction.

We had to persevere muddy streets for much longer than anticipated because it took so long to complete this survey and now we must do it again. NO!!!

One of our neighbours mentioned the short sightedness of the Board of Education because they are closing themselves in from any future expansion. Why are they adding 500 to 550 new student placements when they have 10,000 placements too many now?

We are concerned about losing green space. The original plan kept much more of this green space and once this property is sold off the trees will be gone.

We are concerned with the money being spent on studies of this property that were done 10 years ago. We believe the land has not moved.

We feel the Board of Education may be expecting to raise unrealistic amounts of money from sales of their properties. Is this piece of land worth \$1,000,000.00? If so, where does the balance of the \$7,500,000.00 come from?

We fear the possibility of under-the-table deals being made. One of the officials at this September meeting had a last name that is almost synonymous with the words real estate in the city of Hamilton.

We fear the Board of Education may be trying to create its own market. The original school proposal called for bussing but the new one does not. Is this because they are counting on school-age children living in these new homes?

There is land in this area that has NOT been developed since creation. This indicates the lack of viability in this area of the city.

There is no guarantee the school will be built after the land is severed. The school board gets the money, the political environment changes again and what happens to the balance of the property? A recent study, headlines in the Hamilton Spectator Oct 8/00, indicates \$15 million needed to repair existing schools that were never properly maintained.

There will be a noticeable increase in traffic on Templemead. It is the main artery to get in and out of this survey and we get a lot of vehicles passing our home now. Speed limits and stop signs are not obeyed at all.

The time of day for this meeting is quite inconvenient considering that most people will be at their jobs. It does make one wonder if their letters will be acknowledged as it does appear to be a stacked deck

Are the sewers and water supply adequate in volume and pressure?

Bottom line is build the school as originally planned with green space or leave the area as green space and rezone as such.

Sincerely

Edwyn I Vewis

Sharon R. Lewis

c.c. Tom Jackson, Beth Phinney, The Honourable Janet Ecker, Marie Bountrogianni, Ministry of Education.

CITY OF HAMILTON

- RECOMMENDATION -

2.2

Lecture Canadiak

DATE:

November 1, 2000

Industrial Sectors "H" and "J"

CI-98-C

REPORT TO:

Chairman and Members of the

Planning and Development Committee

FROM:

Lee Ann Coveyduck

General Manager

Community Planning and Development Division

SUBJECT:

Windermere Basin -- Modifications to By-law No. 00-163

(PDC00147(A))

RECOMMENDATION:

A. That in accordance with Section 34.(17) of the Planning Act, Council has determined that no further public notice is required with respect to the proposed amendments to By-law No. 00-163; and,

- B. That approval be given to <u>City Initiative CI-98-C</u> to provide for further modifications to the "F-4" (Waterfront Services) District regulations applicable to Block "4", the "K" (Heavy Industry, etc.) District regulations applicable to Block "6", the "A" (Conservation, Open Space, Park and Recreation) District regulations applicable to Block "8"; and to rezone Block "9" to "K" (Heavy Industry, etc.) District, modified, all as shown on the attached map marked as APPENDIX "A", on the following basis:
 - (i) That Zoning By-law No. 6593, as amended by By-law No. 00-163 applicable to the subject lands, be further modified as follows:
 - (a) That Section 2.(a) be deleted in its entirety and replaced with the following:
 - "(a) by changing the "L-s" (Planned Development Special Study Area) District to "A" 'H' (Conservation, Open Space, Park and Recreation Holding) District, the lands comprised in Blocks "1", "2" and "3";"
 - (b) That Section 2.(b) be deleted in its entirety and replaced with the following:
 - "(b) by changing the "L-s" (Planned Development Special Study Area) District to "F-4" (Waterfront Services) District, the lands comprised in Block "4";"

- (c) That Section 2.(d) be deleted in its entirety and replaced with the following:
 - "(d) by changing from "L-s" (Planned Development Special Study Area) District to "K" (Heavy Industry, etc.) District, the lands comprised in Blocks "6" and "9"."
- (d) That a new Subsection (e) be added to Section 2 as follows:
 - "(e) by changing from the "L-s" (Planned Development Special Study Area) District to "A" (Conservation, Open Space, Park and Recreation) District the lands comprised in Block "8"."
- (e) That the first line of Section 3.(a) of By-law No. 00-163 be deleted and replaced with the following:
 - "(a) The 'H' symbol applicable to land referred to in section 2(a) shall be removed conditional upon the owner:"
- (f) That Section 3.(b) of By-law No. 00-163 be deleted in its entirety and replaced with the following:
 - "(b) The 'H' symbol shall be removed by amendment to this bylaw and the development of lands referred to in section 2 (a) may at such time proceed in accordance with the "A" District provisions, subject to the special requirements contained in sections 4 and 5 of this by-law."
- (g) That Schedule "A" to By-law No. 00-163 be deleted and replaced with a new Schedule "A";
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1450a, and the subject lands on Zoning District Maps E-70, E-80, E-80a, E-80b and E-80c be notated S-1450a;
- (iii) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 00-163, and Zoning District Maps E-70, E-80, E-80a, E-80b and E-80c for presentation to City Council; and,
- (iv) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the by-law is to further modify the "F-4" (Waterfront Services) District (Block "4"), the "K" (Heavy Industry, etc.) District (Block "6"), the "A" (Conservation, Open Space, Park and Recreation) District (Block "8"); and to rezone Block "9" to "K" (Heavy Industry, etc.) District, modified, all as shown on the attached APPENDIX "A".

The effect of the By-law is to remove reference to the requirement of the 'H' holding provision on Blocks "4", "6" and "8" and to rezone Block "9" to "K" (Heavy Industry, etc.) District.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Transition Board approval is not required.

As required by the Planning Act, Council shall hold at least one public meeting to consider an amendment to the Zoning By-law.

BACKGROUND AND REPORT:

City Council, on September 26, 2000, passed Zoning By-law No. 00-163 rezoning lands known as Windermere Basin to: "A" – 'H' (Conservation, Open Space, Park and Recreation – Holding) District, modified for Blocks "1", "2", "3" and "8"; "F-4" – 'H' (Waterfront Services – Holding) District, modified for Block "4"; "F-2" (Open Space Harbour) District for Block "5", and "K" – 'H' (Heavy Industry, etc. – Holding) District, modified for Block "6"; and to further modify the "F-4" (Waterfront Services) District regulations applicable to Block "7". The purpose of the by-law is to implement the City's land use objectives for this area as outlined in a draft agreement between the City and the Hamilton Harbour Commissioners of June 28, 2000. It should be noted that the Hamilton Harbour Commissioners have filed an appeal of By-law No. 00-163.

City Council, on October 20, 2000 signed the final agreement with the Hamilton Harbour Commissioners. It appears that since the passage of By-law No. 00-163, two matter must be clarified to reflect the October 20, 2000, Council approved agreement. The October 20, 2000 agreement necessitates an amendment to By-law No. 00-163 as follows:

- The 'H' holding provision is to be applied only to lands being conveyed to the City.
 The by-law will therefore have to be modified to remove the holding provision from
 Blocks "4", "6" and "8" for those lands to be retained by the Hamilton Harbour
 Commissioners; and,
- A new Block "9", which are lands to be retained by the Hamilton Harbour Commissioners and rezoned to "K" (Heavy Industry, etc.) District, modified.

PUBLIC NOTICE:

A public notice was published on October 20, 2000 for a special meeting of Planning and Development Committee (see APPENDIX "B" attached) to be held on November 7, 2000, to consider an amendment to Zoning By-law 00-163 to remove the holding provision from the lands to be zoned "K" District known as Block "6". This public notice met the statutory requirements of the Planning Act in regards to giving notice.

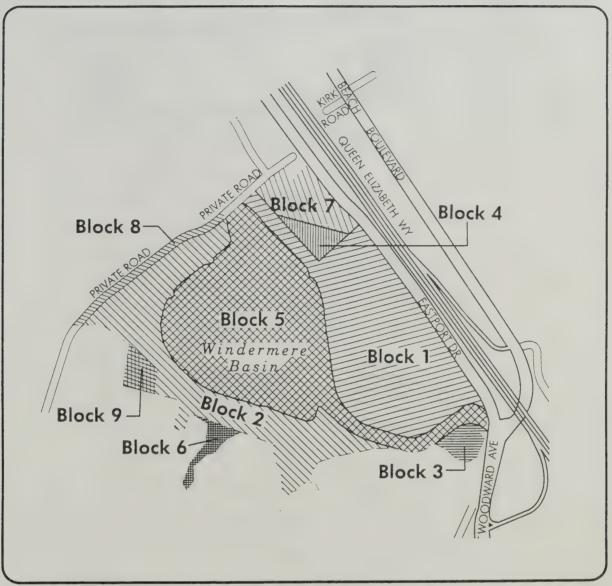
As noted previously, at a special meeting of City Council on October 20, 2000, Council approved the final agreement between the City and the Hamilton Harbour Commissioners. In addition to the removal of the 'H' on the lands to be zoned "K" District on Block "6", the October 20, 2000 Council agreement necessitates additional changes which were not contemplated in Zoning By-law No. 00-163. On this basis, an amended public notice was published in the Spectator on November 3, 2000, listing all the proposed changes to Zoning By-law No. 00-163 to implement the intent of the October 20, 2000 agreement.

Section 34(17) of the Planning Act provides that where a change is made in the proposed by-law after the holding of the public meeting, Council can determine whether any further notice is to be given. If Council does not make this determination, then the proposed modifications and change to the by-law will require the scheduling of another public meeting.

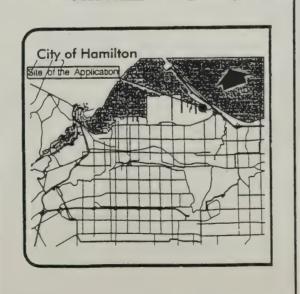
CONCLUSION:

Based on the foregoing, the amendments to the by-law can be supported.

CI-98-Cmod







Legend

Block 1

Change in Zoning from "L-s" (Planned Development - Special Study Area) District to "A"-"H" (Conservation, Open Space, Park & Recreation - Holding) District Modified

Block 2

Change in Zoning from "L-e" (Planned Development - Special Study Area) District to "A"-"H" (Conservation, Open Spece, Park & Recreation - Holding) District Modified

Block 3

Change in Zoning from "L-e" (Planned Development - Special Study Area) District to "A"-"H" (Conservation, Open Spece, Park & Recreation - Holding) District Modified

Block 4

Change in Zoning from "L-s" (Planned Development - Special Study Area) District to "F-4" (Waterfront Services) District Modified

Block 5

Change in Zoning from "L-s" (Planned Development - Special Study Area) District to "F-2" (Open Space Harbour) District.

Вюск 6

Change in Zoning from "L-s" (Planned Development - Special Study Avea) District to "K" (Heavy Industry, etc.) District Modified

Block 7

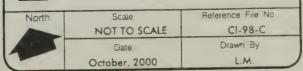
Further Modification to the "F-4" (Waterfront Services) District Regulations

Block 8

Change in Zoning from "Lies" (Planned Development - Special Study Area, District to "A" (Conservation, Open Space, Park and Recreation) District Modified

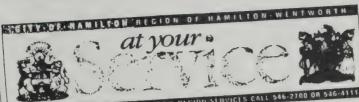
Block 9

Change in Zoning from "L-s" (Planned Development - Special Study Area) District to "K" (Heavy Industry, etc.) District Modified









FOR MORE INFORMATION ON YOUR CITY & REGION SERVICES CALL 546-2700 OR 546-4111

NOTICE OF PUBLIC MEETING

PLANNING AND DEVELOPMENT COMMITTEE

Date: November 7, 2000

Time: 6:30 p.m.

Location: Room 233, 2nd Floor, City Hall

The Planning and Development Committee will hold a Public Meeting to consider a modification to the "K" - 'H' (Heavy Industry, etc. - Holding) District regulations in the area known as Windermere Basin, shown as Block "6" on

The effect of the proposed by-law is to remove reference to the requirement of the 'H' holding provision.

Zoning By-law No. 00-163, passed by City Council on September 26, 2000, inadvertently applied the 'H' holding provisions to the lands to be rezoned "K" (Heavy Industry, etc.) District, modified shown as Block *6*.

The Planning and Development Committee will consider this matter at a Public Meeting at the above-mentioned time and location. You are invited to

If a person or public body that files an appeal of a decision of the City of Hamilton in respect of the proposed zoning by-law does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed zoning by-law is adopted, the Ontario Municipal Board may dismiss the appeal.

You may submit comments in writing to the Secretary, Planning and Development Committee, City of Hamilton, City Hall, 71 Main Street West, Hamilton, Ontario, L8P 4Y5.

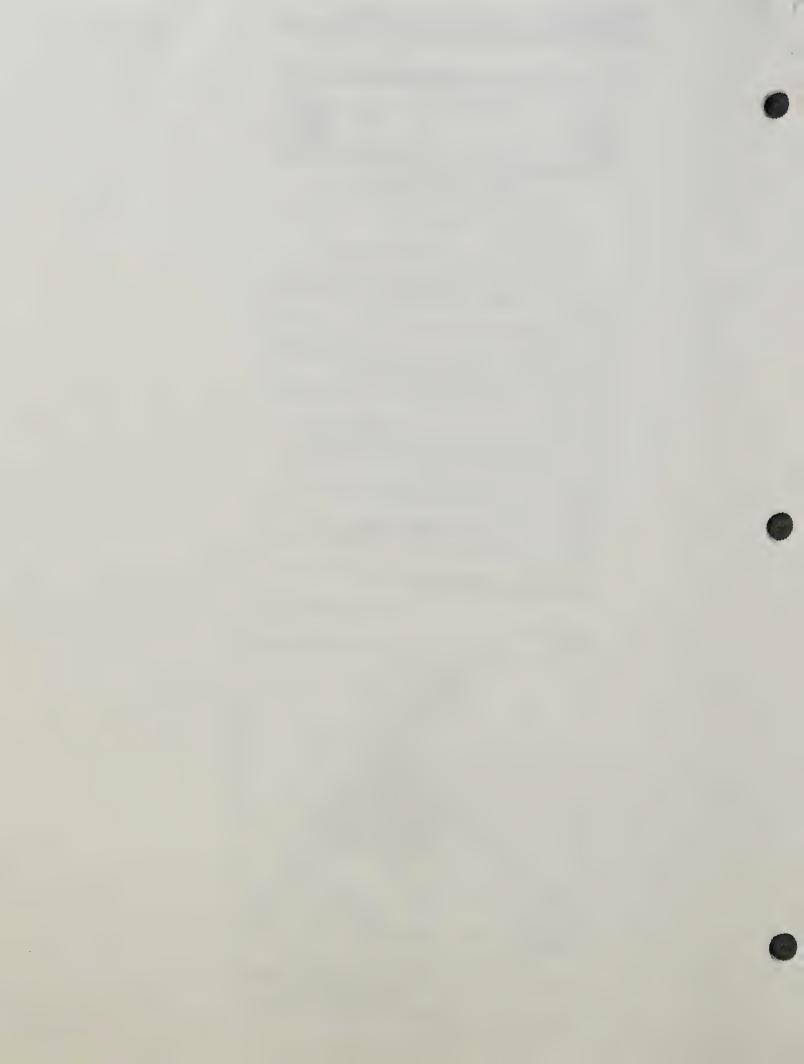
A staff report on this matter will be available to the public on or after November 3, 2000, and may be obtained from the Planning and Development Department, 7th Floor, City Hall, 71 Main Street West, between

If you require additional information, please call Caroline Floroff, Planning and Development Department, at 546-4424.

Secretary Planning and Development Committee

October 20, 2000





URBAN MUNICIPAL

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CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE

a Subcommittee of the Planning and Development Committee
c/o CITY HALL, 71 MAIN STREET WEST, HAMILTON, ONTARIO, L8P 4Y5

NOTICE OF MEETING AND AGENDA

DATE:

Thursday, December 7, 2000

URBAN MUNICIPAL

TIME:

4:30 p.m. - 6:30 p.m.

DEC 0 8 2000

PLACE:

Room 219, Hamilton City Hall

GOVERNMENT DOCUMENTS

AGENDA

1. Chairpersons' Remarks

2. Minutes of November 16, 2000 CAPIC Meeting

3. Business Arising

- a) Downtown Success Stories Newsletter and Postcards Further Discussion
- b) Ferguson Avenue Stairs Motion re Expediting
- 4. New Business
 - a) Hamilton Downtown Living Charrette Presentation by Ken Coit
 - b) Brownfields Overview (written summary)
 - c) Discussion with New Council Members re CAPIC
- 5. Status Reports
 - a) Health Building Brief Update
 - b) Other Downtown Heritage Projects Update
 - c) Downtown Hamilton Community Improvement Project Area
- 6. Members' Reports
- 7. Other Business
- 8. Next Meeting January 11, 2001 re Brownfields, etc.

If you cannot attend the meeting, please contact Vanessa Grupe at 546-4160

capic

CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE

a Subcommittee of the Planning and Development Committee c/o CITY HALL, 71 MAIN STREET WEST, HAMILTON, ONTARIO, L8P 4Y5

MINUTES

CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE

Room 219, Hamilton City Hall

Thursday, November 16, 2000

MEMBERS / OBSERVERS ATTENDING

Mary Pocius, Chairperson
Gil Simmons, Vice Chairperson
Carlo Gorni
Gerry Kennedy
Russell Elman
Helen Kirkpatrick

Robert Wilton Brock Criger Martha Allan Linda Axford

REGRETS / ABSENT

Brenda Mitchell
Ald. Ron Corsini
Richard Gillespie
Stella Woock
Kay Lodge
Dick Simpson
Denise Giroux
Rick Lintack
Gary Ostofi
Conrad Zurini
Marlene Coffey
June Cunningham

STAFF

Vanessa Grupe - Coordinator

International Village BIA
North End Neighbourhoods
Downtown Hamilton BIA
Hamilton-Burlington & District R. E. Bd.
Durand Neighbourhood Association
Downtown Partnership and Central
Neighbourhood
McMaster University
Kirkendall Neighbourhood
CANEW

Stinson Community Association
Alderman, Ward 2
Beasley Neighbourhood
Landsdale Neighbourhood
Hamilton Senior Citizens Council
Corktown Neighbourhood
Citizen Member
Hamilton Society of Architects
Citizen Member
Hamilton-Burlington & District R. E. Bd.
Downtown Partnership
Regional Seniors Council

Community Planning

Corktown Neighbourhood

1. Welcome

Mary Pocius said she had talked to Robert Wade, who had just been elected as Mayor of the New City of Hamilton, and City Manager Doug Lychak. They saw no reason why CAPIC should not continue for now, and felt that it might be of even more use to the community under the new municipal structure.

This would be an appropriate time to review the terms of reference, membership, and do some housekeeping. The mandate was widened to include neighbourhoods which surround the downtown core, and this needs to be formalized. Aldermen reps. will be appointed by Council, and it is preferable if there is more than one Alderman. The Aldermen of Wards 1 and 3 should probably be involved. Criteria will be prepared for members of advisory committees. The new Council will be inaugurated Jan. 4, 2001.

2. Minutes of September 14, 2000 CAPIC Meeting

On pg. 3, item 5 a) Russell Elman asked that the second sentence be revised to read "A similar event is proposed for next year...", omitting reference to the Football Hall of Fame. **Motion**: The minutes of the September 14, 2000 meeting of CAPIC, as amended, were approved, as moved by Gil Simmons, seconded by Carlo Gorni.

3. Business Arising

a) Community Exchange 2000 Windsor

Vanessa Grupe noted the agenda package included a report on this beneficial conference prepared by Janice Brown of the Durand Neighbourhood Association. Her report is written from the perspective of the Durand Steering Committee, for whom Janice attended to network with neighbourhood associations and investigate the possibility of perhaps hosting the next community exchange as part of the Durand 2001 Symposium. Vanessa had promised to do a more general report on the conference, including the contact information for speakers and agencies. She has not had a chance to do this yet, but will aim for the next agenda.

Russell Elman said Durand is proceeding with their own event, not as the next Community Exchange. It will be May 5 - 6, 2001 (Saturday and Sunday), at the Convention Centre. On December 6, 2000 a book launch will be held for Russell's two new books on Durand. All CAPIC members are invited, and invitations have been sent. Mary Pocius suggested a book signing at a downtown bookstore.

b) Downtown Community Improvement Plan Spec Ad

This matter was raised by Gil Simmons at the last meeting. Vanessa has checked with other staff, including Hazel Milsome. There was an error made in matching the map to the written description of the boundary, but this has been corrected. The first wording said the expansion was Barton to CN, which should have said Cannon to CN. This was corrected in the second notice. The Ministry staff has all the documentation they require for this Plan. Another notice will be appearing in the paper tomorrow, about vacant land, to allow for Convert to Rent on vacant land.

c) Ferguson Avenue Stairs - Motion re Expediting

As discussed at the September meeting, it was moved that the stairs up the Escarpment be moved forward in the staging of the Ferguson Ave. Master Plan, and be expedited. Vanessa will provide copies of this motion for the next meeting.

4. New Business

a) Downtown Hamilton Community Improvement Project Area

CAPIC had been asked by the Planning and Development Committee to evaluate the boundaries of this area, and advise on whether these should be changed. Mary Pocius noted there are opposing opinions as to whether this area should be widened or reduced. We need to be asking questions and collecting information at this point. One member felt Option 2 as outlined in the report (in agenda package) made more sense, to make incentives available to downtown. Option 1 could be a brownfields development with vacant land – this might further develop residential areas toward the waterfront. The definition of a brownfields site was discussed – this may mean any underutilized land, but these lands have often been used for industry, and are contaminated. Examples -Tiffany block, White Star, Peter/Napier.

A good definition of brownfields is needed. These sites need different levels of cleanup, depending on the intended use. Luc Piccioni of Economic Development spoke on this subject at the Ontario Planner's annual conference. It was suggested that Luc be invited to the next meeting to discuss brownfields. **Action**: Vanessa.

b) Downtown Community Success Stories

Vanessa provided an overview of this suggestion to produce a newsletter on the activities and successes of central area neighbourhood associations (and BIAs). The email handout provides full details. This could build on existing newsletters which many of the groups have. It was felt this would provide a "face" for CAPIC. There could be an internet version, as well as a printed/ paper version. It was suggested that a sub-committee could be established on this, perhaps early in 2001 – for now, members will consider it.

The use of Cable 14 community TV was also suggested as a way of outreach, and they are looking at more neighbourhood programming. Helen Kirkpatrick noted that the Downtown Partnership is looking a doing a newsletter on downtown housing.

c) Role of CAPIC

There was discussion about the role of CAPIC, and how it compares with other models for community involvement. Members felt there are some types of groups needed on CAPIC which are currently missing, such as social service agencies, public health, and churches. There needs to be discussion about the role and mandate, boundaries, etc. Mary noted there are 196 advisory committees waiting for the Transition Board to decide on criteria and direction. It was suggested that the Mayor-Elect and the Wards 1, 2 and 3 Councillors-Elect be invited to the December meeting of CAPIC, to discuss the role of CAPIC.

The Director of Downtown Renewal, in the Planning Dept., has yet to be appointed. It is presumed this person will confirm matters such as the boundaries of downtown, and any associated citizen advisory committee(s).

d) Postcards for Downtown

The opportunity to produce more attractive postcards featuring Hamilton and its downtown was discussed, since there are so few available. Members liked the idea of giving these to tourists. Views from the harbour or from a boat may be unique. There were concerns about whether this was the role of Tourism staff in Economic Development, or the private sector, rather than CAPIC. It was felt reasonable for CAPIC to ask who is responsible for such things. It was suggested that staff write a letter to the Mayor-elect and 3 Councillors-elect, congratulating them on their election, and suggesting that promotion of the New City of Hamilton begin.

e) St. Joseph's Healthcare Hamilton Report to Community – Nov. 15 Event Vanessa said that the proposals outlined at the presentation included:

- A new 650 space parking garage by Sept. 2001, where the gym is today;
- Hamilton Psychiatric Hospital is part of St. Joseph's as of Nov. 13, 2000;
- A new 8 storey tower by 2003, with 30 rehab. beds, MRI suite, etc.
- Other news on fundraising goals, etc.

It was noted the Downtown Partnership would like to see James and John as 2 way, all the way to the Escarpment. St. Joseph's (President) does not agree with 2 way streets. There are some related traffic issues and concerns near the hospital.

5. Members Reports

- a) <u>Richard Gillespie of Beasley Neighbourhood</u> provided a handout on the Parental Responsibility Act, which came into effect Aug. 15. Babysitters and grandparents can be held accountable for the actions of violent children.
- b) Mary Pocius of International Village BIA said a Toronto group has purchased the Century Theatre, and will be converting it to main floor commercial and 62 one bedroom, two storey apartments, renting for about \$1,200 per month. The owners decided to go for more expensive loft apartments, not cheap.
- c) Carlo Gorni, Downtown BIA said Holidays in Gore Park will include free rides, reindeer, train, etc. Their AGM will be on Dec. 4. The 2 downtown BIAs worked with Council again this year for 2 hours free parking downtown, at a cost of \$45.000. Some feel James St. N. should have free parking also.
- d) Gerry Kennedy, Hamilton-Burlington & District Real Estate Board noted that the New City council includes 7 suburban votes, and 8 Hamilton votes. The Mayor either ties the vote and defeats the motion, or helps it win by 2 votes.
- e) Robert Wilton of McMaster University is teaching an urban course, and had a walking tour of the North End, on which students enjoyed waterfront views.
- f) Helen Kirkpatrick of the Downtown Partnership said they are pushing for all of James and John to be two way.
- g) <u>Brock Criger of Kirkendall Neighbourhood Association</u> said CP Rail and their group have invested \$18.5 M to develop a rail-truck transfer facility for local businesses needing steel & plastic. There is much dust now need to pave.

h) <u>Linda Axford, Corktown</u> said no action yet on the Ferguson Stairs. She is on the steering committee at McMaster on the Campus Master Plan, for which Urban Strategies and a retail consultant have been hired – Dec. 4 meeting.

i) Russell Elman, Durand Neighbourhood said the Oct. 16 AGM focussed on neighbourhood watch, and the Oct. 29 all candidates meeting for Ward 2 was the only such live debate.

6. Next Meeting

The next meeting will be Thursday, December 7, 2000 (not Dec. 14). The meeting adjourned at 7:00 p.m.

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Hamilton Society of Architects 4a

HAMILTON DOWNTOWN LIVING

DESIGN CHARRETTE

FINALREPORT

Contents

Introduction

Terms of Reference

Team 1 "Greening Place"

Team 2 "Fusion House"

Team 3 "Gateway"

Team 4 "King William Street Lofts"

Acknowledgements:

This event was made possible by the volunteer efforts of over100 people and the support of over 20 businesses and organizations. They have contributed well in excess of \$200,000.00 in volunteer time. The Hamilton Society of Architects would like to thank each of them and encourage everyone to remain involved in advocating for an improved downtown Hamilton.

Sponsored by:

The Ontario Association of Architects

The Hamilton Downtown Partnership

Downtown Hamilton Business Improvement Area

The International Village Business Improvement Area

Presented with the assistance of:

Urban Strategies Inc., B T Y Group and The City of Hamilton/Region of Hamilton-Wentworth Community Planning and Development Division

INTRODUCTION

In 1996 the Hamilton Society of Architects organized the Hamilton Downtown Ideas Charrette to discover why Downtown Hamilton was declining and what could be done about it. Over 120 people volunteered their time over two days and presented a series of recommendations on how to begin to rejuvenate downtown Hamilton. Among the most important of these recommendations were: correct the wildly unfair tax assessments, reduce regulation and red tape, reduce parking rates on short term parking, create a "Downtown Coordinator " to market downtown, create a pedestrian friendly environment through good design, planning, green links, the reintroduction of on street parking and TWO-WAY streets, and the recognition that all these recommendations and the people that implement them will have to work together. No single initiative or project alone will rejuvenate downtown. The measure of our success would be significantly increasing the vitality of downtown by having more people living there.

By 1999 after several other studies and workshops and through the concerted efforts of many individuals progress was being made. Mixed-use buildings were recognized under a new provincial tax scheme providing tax relief to residential space in the downtown. (Commercial space still bears a hugely unfair property tax burden) Development charges and parking requirements were waived by the city. Grant programs for heritage buildings and convert to rent loan programs were underway. Two-way streets were approved to be implemented. Most importantly, the city had hired Urban Strategies Inc. to design a new Downtown Secondary Plan that provided the tools to create a pedestrian environment and an inspiring vision for a people friendly downtown. With all of these initiatives underway there is a tremendous opportunity for new innovative residential projects in the downtown. The HAMILTON DOWNTOWN LIVING DESIGN CHARRETTE was initiated by the Hamilton society of Architects as a vehicle to illustrate some of these tremendous opportunities to the citizens of Hamilton.

In celebration of Architecture Week 1999, a two-day event was held on the third floor of the Hamilton Eaton Centre. Over 100 volunteer architects, urban planners, landscape architects, politicians, businesses persons, and citizens worked in four teams to design unique residential mixed-use projects for four different downtown sites. The results of their inspired work are the four designs illustrated in this report. Believable, practical, affordable and innovative designs which prove that a rejuvenated heart to our city is achievable.

On behalf of the Hamilton Society of Architects I would like to thank everyone involved in this project.

KEN COIT

Chair, Hamilton Downtown Living Design Charrette Committee

Summary of Brownfield Initiatives

Definition

"Brownfields" are defined as abandoned, idled or underused industrial or commercial properties in built-up urban areas where expansion or redevelopment is complicated by real or perceived environmental contamination, building deterioration/obsolescence, and/or inadequate infrastructure. Preliminary work on a database of industrial redevelopment properties indicates that there are at least 150 to 200 such properties in Hamilton's older industrial areas.

Brief History of Brownfield Program

1997 Brownfield program initiated. Economic Development Department (EDD) given prime responsibility for brownfield program.

Task Force comprised of 20 members from real estate, development, banking, legal, environmental consulting and planning sectors established to study issue.

1998 EDD and Task Force begin exploration of innovative techniques used to promote brownfield development in U.S.

Tax-increment financing concept explored and developed.

1999 Liaison begins with Ministry of Municipal Affairs and Housing (MMAH) staff regarding optimal process for implementing innovative financing tools.

City Council authorises staff to prepare a Community Improvement Plan (CIP) to promote brownfield development.

Treasury Department staff begin investigating tax remedies for abandoned industrial properties.

Ongoing education and consultation with major stakeholders.

2000 Development and refinement of the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan (CIP).

City staff involvement on the Advisory Panel appointed by the Province to provide them with advice on brownfields.

Completion of a Draft CIP for Brownfields – now being circulated to external agencies for comment.

The Brownfield Plan

The ERASE CIP is a comprehensive framework for promoting brownfield development in the older industrial area of Hamilton. This area encompasses the 3,400 acre Bayfront Industrial Area from Barton Street north to the Harbour and from Dundurn Park in the west to Centennial Parkway in the east. It also includes a small industrial area (260 acres) in West Hamilton. The ERASE CIP is a comprehensive framework containing a set of programs that are designed to improve economic opportunities and environmental conditions in this area.

- The ERASE CIP contains 5 major programs:
- 1) Tax-increment Financing Grants provides grants to those undertaking redevelopment in order to pay for clean-up costs. Funded through the tax increases that result from redevelopment of the property.
- 2) Study Grants pays for up one-half of the costs of environmental studies.
- 3) Planning and Development Fees Rebate Program rebates a series of planning and development fees.
- Marketing and Data Base Program marketing program to educate the development and real estate industry on the programs available through the Plan and on redevelopment opportunities. Development of a brownfield data base to supply information need for the marketing and opportunities program.
- Municipal Property Acquisition, Investment and Partnership program aggressive program to target key sites for redevelopment. Municipal purchase of these sites and/or partnerships with the private sector on these sites. To be funded partially through retention of part of tax increase on properties redeveloped under Taxincrement Financing Program

Next Steps

Finalise Plan based on final comments received
Bring Plan forward to Council for adoption Forward Plan to Province for approval.

November 30, 2000

TC-CAP(A)

Mayor-Elect Robert E. Wade, New City of Hamilton Councillor-Elect Marvin Caplan, Ward 1

Councillor-Elect Andrea Horwath, Ward 2

Councillor-Elect Bernie Morelli, Ward 3

Dear Sir / Madam:

Re: Invitation to Next Meeting of Central Area Plan Implementation Committee (CAPIC)

Congratulations on your recent election to office. There is much excitement about the opportunities and challenges ahead for the New City of Hamilton.

Within the central area of Hamilton, there are many initiatives currently underway. The Central Area Plan Implementation Committee has existed for over 15 years as a group of key stakeholders to address planning and related matters. Attached is information on the role, mandate and current membership of this committee, which meets monthly, and which it is felt will continue to play an important future advisory role for the central area.

Accordingly, you are invited to attend the next meeting of CAPIC, which will be held:

DATE:

Thursday, December 7, 2000

TIME:

4:30 - 6:30 p.m.

PLACE:

Room 219, Hamilton City Hall

You will receive a full agenda package by email shortly. We hope you are able to attend. Should you have any questions, wish any further information, and to confirm your attendance, please call Vanessa Grupe of Community Initiatives at 546-4160. Thanks.

Yours sincerely,

(original signed by)

Mary Pocius, CAPIC Chairperson

cc. Lee Ann Coveyduck, Paul Mason, Ron Marini, Planning Department





